

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAEL HAYS,

Plaintiff,

vs.

HOWARD SKOLNIK, et al.,

Defendants.

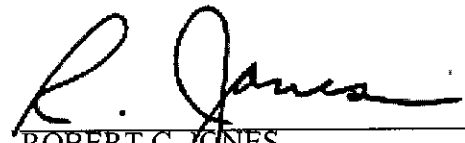
Case No. 2:10-CV-00331-RCJ-(PAL)

ORDER

The court dismissed (#5) this action with prejudice. Plaintiff has submitted a motion to reconsider the dismissal (#8). He has attached exhibits that he argues proves he should be awarded credits toward an earlier release from imprisonment. In his complaint (#6), plaintiff requests as relief the awarding of those credits. "[W]hen a state prisoner is challenging the very fact or duration of his physical imprisonment, and the relief he seeks is a determination that he is entitled to immediate release or a speedier release from that imprisonment, his sole federal remedy is a writ of habeas corpus." Preiser v. Rodriguez, 411 U.S. 475, 500 (1973). The court cannot grant plaintiff the relief that he seeks in a civil rights action pursuant to 42 U.S.C. § 1983.

IT IS THEREFORE ORDERED that plaintiff's motion to reconsider (#8) is **DENIED**.

Dated: This 3rd day of August, 2010.


ROBERT C. JONES
United States District Judge